

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

LAURA BELLEW,

Plaintiff

v.

Case No. 1:20-cv-000125

LOVELACE HEALTH SYSTEM, LLC

Defendant

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**PLAINTIFF'S ORIGINAL COMPLAINT AND JURY DEMAND**

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Plaintiff, Laura Bellew, by way of her Complaint against Lovelace Health System, LLC, Defendant herein, by and through her counsel, alleges as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1331 because this case involves a federal question. Venue in this Court is proper pursuant to 28 U.S.C. §1391(b)(1).

**THE PARTIES**

**Plaintiff**

2. Plaintiff is an individual residing in Albuquerque, Bernalillo County, New Mexico, and was an employee of Defendant at Lovelace Medical Center.

**Defendant**

3. Defendant Lovelace Health System, LLC is a limited liability company duly authorized to do business in the State of New Mexico. It may be served with process through its registered agent, Corporation Service Company, MC-CSC1, 726 E. Michigan Drive, Suite 101, Hobbs, New Mexico 88240.

**FACTS AND ALLEGATIONS**

**Disability Discrimination and Retaliation Under the  
Americans with Disabilities Act**

4. Plaintiff was employed by Defendant at Lovelace Medical Group – Las Estancias as a nurse practitioner in a position as hospitalist. For one month, Plaintiff took a leave of absence without pay from April 2018 through May 2018 for her disability. Upon her return to work, Plaintiff was placed on a 12-hour shift and was scheduled to work 14 – 15 days without time off. After discussing the schedule with Defendant and requesting the accommodation of not working as many days, Plaintiff was told that she would have to find someone to cover a shift or two if she wanted time off. Plaintiff should not have been given that many days to work. Her patient load was also higher than normal. Plaintiff started to develop more health issues as a result of her rigorous work schedule and in August 2018 took time off because of her disability.

5. On September 21, 2018, Defendant terminated Plaintiff's employment. This firing was pretextual. Plaintiff was fired because of her disability.

6. Defendant violated the Americans with Disabilities Act by discriminating against her by firing her because of her disability and by retaliating against her because she asked for accommodation.

7. Defendant's violations of the Americans with Disabilities Act ("ADA") have directly and approximately caused damage to Plaintiff, for which she hereby brings this action against Defendant.

8. Plaintiff has suffered and will continue to suffer severe emotional distress and mental anguish as a result of Defendant's actions. She is also entitled to back and front pay. She is also entitled to recover her attorney's fees under the ADA. Finally, the action is such that Plaintiff is entitled to punitive damages against Defendant.

9. Attached is a true and correct copy of the Right to Sue she received after exhausting her administrative remedies by first filing a charge with the EEOC.

**REQUEST FOR JURY DEMAND**

10. Plaintiff hereby demands a jury trial.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for the following relief against Defendant:

- A. Plaintiff recover her damages, both actual and punitive;
- B. Reasonable attorney's fees;
- C. Pre-judgment and post-judgment interest; and,
- D. Such other and further relief which may be deemed just and proper.

Respectfully submitted,

THE JOECKEL LAW OFFICE

/s/ David B. Joeckel, Jr.

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